

# EXHIBIT 19

**From:** [Silverman, Alex B.](#)  
**To:** [Fernandez, Ashley](#)  
**Cc:** [Neuman, Andrea E.](#); [Yaeger, Michael L.](#)  
**Subject:** RE: Chevron-Rizack Protocol  
**Date:** Thursday, December 12, 2019 4:07:51 PM

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[External Email]

Ashley –

Here is a link to unredacted copies of the four redacted documents. The Bates numbers are the same; they simply replace the redacted copies previously produced. Mr. Rizack continues to object to the production of documents created, sent, or received prior to March 4, 2014, or that otherwise contain information pre-dating March 4, 2014, on the ground that such documents are nonresponsive, in whole or in part. Our agreement to produce unredacted copies of these particular documents is not intended to be and should not be construed as a waiver of any rights Mr. Rizack has with respect to the Subpoena, the Protocol, or otherwise. Mr. Rizack reserves all rights, specifically including as it relates to the scope of the Subpoena, as previously ruled by the Court, and as set forth in Paragraphs 4 and 6(a) of the Protocol.

<https://carltonfields.box.com/s/8zq9auxnmitvluu79jz78244iy9q4psh>

A password to access the documents will be in a separate email to follow.

Alex

Alex B. Silverman  
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Direct: 212.380.9627 | Fax: 212.785.5203  
[ASilverman@carltonfields.com](mailto:ASilverman@carltonfields.com)

-----Original Message-----

From: Fernandez, Ashley <[AFernandez@gibsondunn.com](mailto:AFernandez@gibsondunn.com)>  
Sent: Tuesday, December 10, 2019 4:56 PM  
To: Silverman, Alex B. <[ASilverman@carltonfields.com](mailto:ASilverman@carltonfields.com)>  
Cc: Neuman, Andrea E. <[ANeuman@gibsondunn.com](mailto:ANeuman@gibsondunn.com)>; Yaeger, Michael L. <[MYaeger@carltonfields.com](mailto:MYaeger@carltonfields.com)>  
Subject: RE: Chevron-Rizack Protocol

Alex,

Thank you for that clarification. From your email, it appears that the redactions you made were to remove information that you deemed to be nonresponsive. But the redaction of allegedly nonresponsive information from an otherwise responsive document is improper. See *Anthropologie, Inc. v. Forever 21, Inc.*, 2009 WL 690126 (S.D.N.Y. Mar. 13, 2009); *IDC Financial Publishing, Inc. v. BondDesk Group, LLC*, 2017 WL 4863202 (E.D. Wis. Oct. 26, 2017) (“The court does not see a compelling reason to alter the traditionally broad discovery allowed by the rules by letting the defendants unilaterally redact large portions of their responsive documents on relevance grounds.”). The documents are responsive and the fact that they may also contain non-responsive material is not a basis on which to redact them. If you believe that the documents contain confidential information, you may produce them pursuant to the protective order that is operative in this matter and designate them as such under Paragraph 9(b) of the Protocol.

Please produce an unredacted copy of those documents (and any other redacted document) by Thursday.

Thanks,

Ashley

Ashley Fernandez

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-----Original Message-----

From: Silverman, Alex B. <ASilverman@carltonfields.com>  
Sent: Tuesday, December 10, 2019 2:43 PM  
To: Fernandez, Ashley <AFernandez@gibsondunn.com>  
Cc: Neuman, Andrea E. <ANeuman@gibsondunn.com>; Yaeger, Michael L. <MYaeger@carltonfields.com>  
Subject: RE: Chevron-Rizack Protocol

[External Email]

Ashley – None of the redacted items in these documents are “privileged,” and thus Paragraph 9(a) of the Protocol is not triggered. That being said, descriptions of the redacted information is below.

- RIZ00003585 – Redacted portions of credit card and checking account statements containing entries pre-dating March 4, 2014, as such information is not responsive based upon Protocol ¶¶ 4, 6(a).
- RIZ00003739 – Redacted portions of credit card and checking account statements containing entries pre-dating March 4, 2014, as such information is not responsive based upon Protocol ¶¶ 4, 6(a).
- RIZ00003931 – Redacted emails to/from Rizack and Donziger re: matters pertaining to Rizack’s personal business that are not responsive to the Subpoena or to the topics covered thereby.
- RIZ00003970 – Redacted portion of checking account statement containing an entry pre-dating March 4, 2014, as such information is not responsive based upon Protocol ¶¶ 4, 6(a).

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-----Original Message-----

From: Fernandez, Ashley <AFernandez@gibsondunn.com>  
Sent: Tuesday, December 10, 2019 1:11 PM  
To: Silverman, Alex B. <ASilverman@carltonfields.com>  
Cc: Neuman, Andrea E. <ANeuman@gibsondunn.com>; Yaeger, Michael L. <MYaeger@carltonfields.com>  
Subject: RE: Chevron-Rizack Protocol

Alex and Michael,

In reviewing the November 25 production, we came across four documents that contain redactions: RIZ00003585, RIZ00003739, RIZ00003931, and RIZ00003970.

Pursuant to Paragraph 9(a) of the Protocol, privilege logs must be provided within 10 days of the production. Can you please let us know why those documents contain redactions and, if relevant, provide a privilege log?

Thanks,

Ashley

Ashley Fernandez

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-----Original Message-----

From: Silverman, Alex B. <ASilverman@carltonfields.com>  
Sent: Monday, November 25, 2019 12:54 PM  
To: Fernandez, Ashley <AFernandez@gibsondunn.com>  
Cc: Neuman, Andrea E. <ANeuman@gibsondunn.com>; Yaeger, Michael L. <MYaeger@carltonfields.com>  
Subject: RE: Chevron-Rizack Protocol

[External Email]

Ashley –

Here is a link to Mr. Rizack's second document production. The password will come in a second email to follow.

<https://carltonfields.box.com/s/0xtqbaqplsxbx4rykf4925v63uh516cts>

A couple things to note. First, several of the Donziger documents in the Relativity database contain varying degrees of Spanish. We didn't include these in our first production because we wanted to have them translated before producing. Things sort of stalled a bit as you know, and so to ensure that we get you as much as reasonably possible for this second production, we are including the documents with a relatively small amount of Spanish that we were able to have translated. That said, there are still Donziger documents that we believe may be relevant and responsive, but that are entirely or almost entirely in Spanish. We haven't been able to have these translated for cost reasons, and so they are not in this production. For purposes of temporarily holding back these documents, we took the approach that if any document in a family was entirely or almost entirely in Spanish, the whole family would be held back until the Spanish document(s) can be translated, even if a cover email and/or other attachments in the family were in English.

Second, the prior production, this production, and the roughly 20 or so remaining Spanish documents are all of the "to/from Donziger" documents in the database. However, we were recently advised that certain types of Mac files (OLM and OLK files) are incredibly difficult to process in Relativity, so we have been having our team work with Mr. Faulkner to convert these into file types that Relativity can handle. That process is now essentially complete and the files are being indexed for searching. Our understanding is that virtually all of these files will be duplicative of the documents currently in the database. If we find that a significant number of new files are added we will let you know. We will also be sure to fast-track the search, review and production of any new "to/from Donziger" documents in this OLM/OLK batch to the extent there are any.

Thanks,  
Alex

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-----Original Message-----

From: Fernandez, Ashley <AFernandez@gibsondunn.com>  
Sent: Friday, November 22, 2019 6:12 PM  
To: Silverman, Alex B. <ASilverman@carltonfields.com>  
Cc: Neuman, Andrea E. <ANeuman@gibsondunn.com>; Yaeger, Michael L. <MYaeger@carltonfields.com>  
Subject: RE: Chevron-Rizack Protocol

Alex,

Thank you for the new spreadsheet. Could you also please provide us with the Search Term Report from Relativity?

We will look for your production on Monday.

Thanks,

Ashley

Ashley Fernandez

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-----Original Message-----

From: Silverman, Alex B. <ASilverman@carltonfields.com>  
Sent: Friday, November 22, 2019 5:16 PM  
To: Fernandez, Ashley <AFernandez@gibsondunn.com>  
Cc: Neuman, Andrea E. <ANeuman@gibsondunn.com>; Yaeger, Michael L. <MYaeger@carltonfields.com>  
Subject: RE: Chevron-Rizack Protocol

[External Email]

Ashley - Here are the results of the searches you proposed last night. Also, we know you are expecting a production this evening and we were essentially ready to forward it, but are now having some technical difficulties in exporting from Relativity and will need to have it to you on Monday. We apologize for any inconvenience.

Thanks,  
Alex

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ASilverman@carltonfields.com

-----Original Message-----

From: Fernandez, Ashley <AFernandez@gibsondunn.com>

Sent: Thursday, November 21, 2019 4:43 PM

To: Silverman, Alex B. <ASilverman@carltonfields.com>

Cc: Neuman, Andrea E. <ANeuman@gibsondunn.com>; Yaeger, Michael L. <MYaeger@carltonfields.com>

Subject: RE: Chevron-Rizack Protocol

Alex,

I have attached the updated search term spreadsheet. Please run the search terms and provide us with the hit data.

Thanks,

Ashley

Ashley Fernandez

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-----Original Message-----

From: Fernandez, Ashley

Sent: Wednesday, November 20, 2019 12:42 PM

To: 'Silverman, Alex B.' <ASilverman@carltonfields.com>

Cc: Neuman, Andrea E. <ANeuman@gibsondunn.com>; Yaeger, Michael L. <MYaeger@carltonfields.com>

Subject: RE: Chevron-Rizack Protocol

Alex,

Thank you, we will look for your production on Friday.

We are aware of the following phone numbers associated with Donziger:

917-566-2526; 646-460-1715; 646-943-1731; 631-897-2457; 347-571-7967; 212-570-4499.

Thanks,

Ashley

Ashley Fernandez

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-----Original Message-----

From: Silverman, Alex B. <ASilverman@carltonfields.com>

Sent: Tuesday, November 19, 2019 7:51 PM

To: Fernandez, Ashley <AFernandez@gibsondunn.com>

Cc: Neuman, Andrea E. <ANeuman@gibsondunn.com>; Yaeger, Michael L. <MYaeger@carltonfields.com>

Subject: Re: Chevron-Rizack Protocol

[External Email]

Ashley –

Additional communications to/from Donziger (including a limited number of non-email communications) do exist, and we'll produce some portion of them to you by COB Friday. We have several of Donziger's phone numbers already, but feel free to forward them to us just in case. We can confirm that we have not withheld any documents on the basis of any privilege.

For the record though, the Protocol required us to make a good faith effort to produce these Donziger documents by 10/30, and on 10/30 we produced about 1,500 of them to you. I'm not sure if by "slated for production" you meant to suggest that we were required to produce every single Donziger communication and all family documents by 10/30, but if so, I want to be clear that the Protocol does not require that. Also, as you know, we (Carlton Fields) did not substantively review additional documents since our 10/30 production due to continued uncertainty regarding the final universe of search terms and Mr. Rizack's simple lack of funds sufficient to hire contract attorneys. We made this explicitly clear in our prior emails (reflected below), requested that Chevron agree to indefinitely toll the bi-weekly deadlines and ultimate 12/2<x-apple-data-detectors://5> deadline (compliance with which is now impossible), and Chevron agreed to indefinitely toll these deadlines while it continues to re-work the search terms to reduce the volume of Potentially Responsive Documents. We agreed to produce additional Donziger communications during this tolling period, and we will do so by COB Friday.

We look forward to receiving Chevron's additional search term revisions.

Best,  
Alex

On Nov 19, 2019, at 6:29 PM, Fernandez, Ashley <AFernandez@gibsondunn.com> wrote:

Alex,

We are working through the best way to reduce the volume of Potentially Responsive Documents and we will have a new search term spreadsheet to you in a day or two.

In the meantime, we have an upcoming evidentiary hearing and need to know when you are going to produce the remainder of the documents to/from Donziger (i.e., the non-email communication including, but not limited to, text messages, WhatsApp messages and other forms of messaging). These documents were originally slated for production by October 30 and we are now heading towards the end of November. Can you please confirm (1.) whether additional communications exist; and, if so, (2.) when they will be produced? We can provide you with all known Donziger phone numbers if that would be helpful. Also could you please confirm that no documents to/from Donziger have been withheld on the basis of any privilege?

Thank you for your attention on this issue.

Best,

Ashley

Ashley Fernandez

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From: Silverman, Alex B. <ASilverman@carltonfields.com>  
Sent: Friday, November 15, 2019 4:45 PM  
To: Fernandez, Ashley <AFernandez@gibsondunn.com>  
Cc: Neuman, Andrea E. <ANeuman@gibsondunn.com>; Yaeger, Michael L. <MYaeger@carltonfields.com>  
Subject: RE: Chevron-Rizack Protocol

[External Email]

Thanks, we will continue looking for other forms of communication with Donziger and will produce the responsive messages that we find.

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Direct: 212.380.9627 | Fax: 212.785.5203  
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From: Fernandez, Ashley <AFernandez@gibsondunn.com<<mailto:AFernandez@gibsondunn.com>>>  
Sent: Friday, November 15, 2019 12:38 PM  
To: Silverman, Alex B. <ASilverman@carltonfields.com<<mailto:ASilverman@carltonfields.com>>>  
Cc: Neuman, Andrea E. <ANeuman@gibsondunn.com<<mailto:ANeuman@gibsondunn.com>>>; Yaeger, Michael L. <MYaeger@carltonfields.com<<mailto:MYaeger@carltonfields.com>>>  
Subject: RE: Chevron-Rizack Protocol

Alex,

Thank you. We can agree to continue the tolling period with respect to all documents that are not to/from Donziger. As we understand it, there may be text messages, WhatsApp messages, and/or other forms of communication to/from Donziger that have not yet been produced. We ask that you continue to look for and produce those documents.

With respect to the search terms, we are currently evaluating the most recent results you provided and exploring options to further reduce the number of Potentially Responsive Documents.

Best,

Ashley

Ashley Fernandez

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From: Silverman, Alex B. <ASilverman@carltonfields.com<<mailto:ASilverman@carltonfields.com>>>  
Sent: Friday, November 15, 2019 9:43 AM  
To: Fernandez, Ashley <AFernandez@gibsondunn.com<<mailto:AFernandez@gibsondunn.com>>>  
Cc: Neuman, Andrea E. <ANeuman@gibsondunn.com<<mailto:ANeuman@gibsondunn.com>>>; Yaeger, Michael L. <MYaeger@carltonfields.com<<mailto:MYaeger@carltonfields.com>>>  
Subject: RE: Chevron-Rizack Protocol

[External Email]  
Andrea/Ashley,

Today is the last day of the 1-week “tolling” period that we had previously agreed to. As you know (and as reflected in our email chain below), we have not reviewed any documents over the last week. While it seems we may have made some significant progress in cutting down the number of documents to review, the number is still huge, and far larger than it would need to be for Carlton Fields to undertake the review in-house. This means Mr. Rizack must still hire a document review vendor. Costs aside, retaining the document review vendor will take time for logistical reasons alone, and our progress in revising the search terms notwithstanding, it’s still unclear where we are exactly, as we have not yet heard from you in response to my 11/11/19 email providing the results of the revised search terms you had proposed earlier the same day (11/11/19).

All of this is to say that we think tolling both the ultimate deadline and the next bi-weekly deadline is necessary. Assuming the latter period begins today, the next deadline would be 11/29. It is quite clear at this point that beginning the review this week will not be possible, if only for logistical reasons. Whether it can begin next week is unclear also. In either event, we know reviewing all documents by 12/2 will be impossible, so at some point in the very near future. Mr. Rizack need to go to the Court for permission to extend that deadline.

Please let us know if you agree to an indefinite toll of the bi-weekly deadlines until we truly finalize the search terms.

Thanks,  
Alex

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ASilverman@carltonfields.com<<mailto:ASilverman@carltonfields.com>>  
From: Silverman, Alex B. <ASilverman@carltonfields.com<<mailto:ASilverman@carltonfields.com>>>  
Sent: Tuesday, November 12, 2019 9:38 AM  
To: Fernandez, Ashley <AFernandez@gibsondunn.com<<mailto:AFernandez@gibsondunn.com>>>  
Cc: Neuman, Andrea E. <ANeuman@gibsondunn.com<<mailto:ANeuman@gibsondunn.com>>>; Yaeger, Michael L. <MYaeger@carltonfields.com<<mailto:MYaeger@carltonfields.com>>>  
Subject: RE: Chevron-Rizack Protocol

Sure, see attached.

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Direct: 212.380.9627 | Fax: 212.785.5203  
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From: Fernandez, Ashley <AFernandez@gibsondunn.com<<mailto:AFernandez@gibsondunn.com>>>  
Sent: Tuesday, November 12, 2019 9:33 AM  
To: Silverman, Alex B. <ASilverman@carltonfields.com<<mailto:ASilverman@carltonfields.com>>>  
Cc: Neuman, Andrea E. <ANeuman@gibsondunn.com<<mailto:ANeuman@gibsondunn.com>>>; Yaeger, Michael L. <MYaeger@carltonfields.com<<mailto:MYaeger@carltonfields.com>>>

Subject: Re: Chevron-Rizack Protocol

Alex,

Thank you for this. Can you please also send us an Excel spreadsheet of the data?

Thanks,

Ashley

On Nov 11, 2019, at 7:13 PM, Silverman, Alex B.

<ASilverman@carltonfields.com<<mailto:ASilverman@carltonfields.com>>> wrote:

[External Email]

Ashley – Here are the results of the revised searches that you proposed earlier. Let us know once you’ve had a chance to review.

Thanks,

Alex

Alex B. Silverman

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Direct: 212.380.9627 | Fax: 212.785.5203

ASilverman@carltonfields.com<<mailto:ASilverman@carltonfields.com>>

From: Fernandez, Ashley <AFernandez@gibsondunn.com<<mailto:AFernandez@gibsondunn.com>>>

Sent: Monday, November 11, 2019 3:14 PM

To: Silverman, Alex B. <ASilverman@carltonfields.com<<mailto:ASilverman@carltonfields.com>>>; Neuman,

Andrea E. <ANeuman@gibsondunn.com<<mailto:ANeuman@gibsondunn.com>>>

Cc: Yaeger, Michael L. <MYaeger@carltonfields.com<<mailto:MYaeger@carltonfields.com>>>

Subject: RE: Chevron-Rizack Protocol

Alex,

I am attaching the modified search incorporating the changes outlined in my previous email. Please ask your vendor to run the search and let us know the resulting hit counts for each term.

Thanks,

Ashley

Ashley Fernandez

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From: Silverman, Alex B. <ASilverman@carltonfields.com<<mailto:ASilverman@carltonfields.com>>>

Sent: Monday, November 11, 2019 11:38 AM

To: Fernandez, Ashley <AFernandez@gibsondunn.com<<mailto:AFernandez@gibsondunn.com>>>; Neuman, Andrea

E. <ANeuman@gibsondunn.com<<mailto:ANeuman@gibsondunn.com>>>

Cc: Yaeger, Michael L. <MYaeger@carltonfields.com<<mailto:MYaeger@carltonfields.com>>>  
Subject: RE: Chevron-Rizack Protocol

[External Email]

Thanks, Ashley. We are certainly willing to run this additional modified search and look forward to receiving your updated revisions later today. We would prefer to wait for that list before running any additional searches so that things are not done in piecemeal fashion. Can you just confirm that you're not asking us to run any searches before then?

Thanks,  
Alex

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From: Fernandez, Ashley <AFernandez@gibsondunn.com<<mailto:AFernandez@gibsondunn.com>>>  
Sent: Monday, November 11, 2019 10:19 AM  
To: Silverman, Alex B. <ASilverman@carltonfields.com<<mailto:ASilverman@carltonfields.com>>>; Neuman, Andrea E. <ANeuman@gibsondunn.com<<mailto:ANeuman@gibsondunn.com>>>  
Cc: Yaeger, Michael L. <MYaeger@carltonfields.com<<mailto:MYaeger@carltonfields.com>>>  
Subject: RE: Chevron-Rizack Protocol

Alex,

Thank you for the reports you sent over. We have had time to review and have three proposals which we believe will significantly reduce the number of Potentially Responsive Documents. Given the volume, we have tried to be very aggressive in setting aside documents from review for now. We are preparing a list of revised search terms for you to run which we will send later today. Please let us know if you are willing to run this additional modified search.

First, we propose removing the terms account, bank, deposit, pay, and Steve~ from the Boolean search string. To compensate for removing Steve~, we would like to add Donziger's email addresses as search terms:  
sdonziger@donzigerandassociates.com<<mailto:sdonziger@donzigerandassociates.com>>;  
steven.donziger@donfordcapital.com<<mailto:steven.donziger@donfordcapital.com>>;  
sdonziger@gmail.com<<mailto:sdonziger@gmail.com>>; sdonziger2@gmail.com<<mailto:sdonziger2@gmail.com>>;  
gringograndote@gmail.com<<mailto:gringograndote@gmail.com>>.

Second, we propose adding the modified Boolean string limitation to the following search terms:

Alan  
Barnes  
Campbell  
Coleman  
Goldman  
Goldstein  
GT  
H5  
Moore  
Willie  
Twist  
Tracy  
Streamline  
Stephen  
Sherman

Third, we propose tabling the following search terms for the time being:

“Business Wire”

“Charles Schwab”

2265

2388

3420

5365

5678

9890

Acros

Adam w/ Boolean String

Adolfo Maldonado

Aird

Alan Hevesi

Alberto Zuleta

Alejandra Vicuna Munoz

Alejandro Soto

Alex / Boolean String

Alexandra w/ Boolean String

Alfonso Paz

Alfredo Donald Payaguaje

Alley

Almeida

Alvaro Galindo

Álvaro Galindo

Amy O’Meara

Andrew w/ Boolean String

Anthony w/ Boolean String

Arcos

Armando Chimbo Yumbo

Arturo Robles Pillco

Atwood

Avila

Balarezo

Baue

Beatriz Mercedes Grefa Tanguila

Belanger

Belen Paez

Benancio Freddy

Berlinger

Bertha Antonia Yumbo Tanguila

Bogard Bolivar-Godofredo Noblecilla Alvaro

Boneham

Bonfiglio

Brooke Zevin Friedman

Butina

Cancer w/ Boolean String

Candell

Cara Parks

Carine Lundberg Markow

Carlos Antonio Paredes Sandoval

Carlos Efrain Manjarres Arevalo

Carlos w/ Boolean String

Carmen Aguilar

Carmen Armijos

Carmen Cartuche

Carmen Garay Calero  
Carney  
Catalina Antonia Aguinda  
Catherine w/ Boolean String  
Cathy Patterson  
Cavanagh  
Celia Alario  
Celia Irene Viveros Cusangua  
Cesar Valencia Ordonez  
Cesar-Belisario Cruz  
Chapelle  
Cheng  
Chris w/ Boolean String  
Christine w/ Boolean String  
Christopher w/ Boolean String  
Clelia Reascos  
Clelia Reascos Revelo  
Clide Ramiro Aguinda  
Cohen w/ Boolean String  
Cole w/ Boolean String  
Collier  
Compass  
Connelly  
Conrad McKearon  
Copland  
Courtney Taylor Eckel  
Cristina Santa Cruz  
Cristobal Villao Yepez  
Cristobal-Mauricio Acuna Alban  
Crossman  
Cruz  
Cunningham  
Daniela Vergel  
Deborah w/ Boolean String  
Derek w/ Boolean String  
Diab  
Diego-Alipio Cueva  
Digitalis  
Doherty  
Dohrs  
Donald Moncayo  
Ebergeldo Criollo  
Econumou  
Eduardo Apunte Romero  
Edwin Vasquez  
Egan  
Eiggan  
Elisabeth Holm  
Elizabeth w/ Boolean String  
Emilie Westholm  
Eric w/ Boolean String  
Erik T. Moe  
Erin w/ Boolean String  
Eugenia Garces  
Eugenia Yepez  
Excend  
Fabiani

Fabiani & Lehane  
Fabiani LLC  
Fadel Gheit  
Fahn  
Fairley  
Fander Falconi  
Farihah Zaman  
Fecheimer  
Felipe Lucitante  
Fernada Espinosa  
Fernanda Espinoza  
Fiduciary w/ Boolean String  
Fine w/ Boolean String  
Firger  
Floresmilo Granda Herrera  
Foraste  
Foundation w/ Boolean String  
Garay  
Hardman  
Heather w/ Boolean String  
Josh w/ Boolean String  
Joshua w/ Boolean String  
Kenney  
Klein  
Larry w/ Boolean String  
Lipton  
Lisa Gibbons  
Lisa w/ Boolean String  
Long w/ Boolean String  
Matter w/ Boolean String  
McDermott  
Media w/ Boolean String  
Metrics  
Nancy w/ Boolean String  
People w/ Boolean String  
Polaris  
Radio w/ Boolean String  
Ramos  
Paul Herrer  
Rawson  
Ricahrd Lara Mello  
Risk w/ Boolean String  
Robin w/ Boolean String  
Rosoff  
Roxana Silva  
Roy Cosme  
Russell Wiese  
Ruth Seni  
Saavedra  
Sam w/ Boolean String  
Sanford Lewis  
Santos Arrobo  
Schrero  
Scott w/ Boolean String  
Selvyn Seidel  
Sergey Pustelnik  
Servio Curipoma

SFO  
Shannon w/ Boolean String  
Sharp  
Shelley Alpern  
Siekopai  
Simeon Tegal  
Smith w/ Boolean String  
Sonia Kowal  
Steve Cohen  
Steve Westly  
Stratton  
Stuart w/ Boolean String  
Sunshine  
Sunshine Consulting  
Tammy  
Tatiana Ordenana  
TC  
Terra  
Terry Collingsworth  
Tim w/ Boolean String  
Tom w/ Boolean String  
Trumka  
UASB  
Ucciferri  
Ventures w/ Boolean String  
Veronica Asimbaya  
Victor w/ Boolean String  
Viteri  
Walden  
Walsh  
Waorani  
Warren Shimmerlik  
Washington w/ Boolean String  
Weiser  
Weissman  
White w/ Boolean String  
Will w/ Boolean String  
William w/ Boolean String  
Williams w/ Boolean String  
Wilmer Abel Menses Paredes  
Wright  
Wuttke  
Xavier Zavala  
Yepez  
Yiyocuro  
Yolanda Leon Trujillo  
Yolanda Omaca

We reserve the right, however, to ask that your run those terms after Mr. Rizack's productions.

Thanks,

Ashley

Ashley Fernandez

GIBSON DUNN

Gibson, Dunn & Crutcher LLP  
200 Park Avenue, New York, NY 10166-0193  
Tel +1 212.351.3884 • Fax +1 212.716.0884  
AFernandez@gibsondunn.com<<mailto:AFernandez@gibsondunn.com>> •  
www.gibsondunn.com<<http://www.gibsondunn.com/>>

From: Silverman, Alex B. <ASilverman@carltonfields.com<<mailto:ASilverman@carltonfields.com>>>  
Sent: Friday, November 8, 2019 4:20 PM  
To: Neuman, Andrea E. <ANeuman@gibsondunn.com<<mailto:ANeuman@gibsondunn.com>>>  
Cc: Fernandez, Ashley <AFernandez@gibsondunn.com<<mailto:AFernandez@gibsondunn.com>>>; Yaeger, Michael L. <MYaeger@carltonfields.com<<mailto:MYaeger@carltonfields.com>>>  
Subject: RE: Chevron-Rizack Protocol

[External Email]

Andrea/Ashley – Here are the updated numbers. You can isolate the totals for the revised searches by filtering to view only those with “TRUE” in the last column.

Thanks,  
Alex

Alex B. Silverman  
Attorney at Law | Carlton Fields  
405 Lexington Avenue, 36th Floor | New York, New York 10174-0002  
Direct: 212.380.9627 | Fax: 212.785.5203  
ASilverman@carltonfields.com<<mailto:ASilverman@carltonfields.com>>  
From: Neuman, Andrea E. <ANeuman@gibsondunn.com<<mailto:ANeuman@gibsondunn.com>>>  
Sent: Friday, November 8, 2019 11:57 AM  
To: Silverman, Alex B. <ASilverman@carltonfields.com<<mailto:ASilverman@carltonfields.com>>>  
Cc: Fernandez, Ashley <AFernandez@gibsondunn.com<<mailto:AFernandez@gibsondunn.com>>>; Yaeger, Michael L. <MYaeger@carltonfields.com<<mailto:MYaeger@carltonfields.com>>>  
Subject: Re: Chevron-Rizack Protocol

This is what Stroz provided to test the hypothesis re: identifying the potential false hits issue based on a flaw in the boolean search. Their theory is that the “common” terms in and of themselves is not the most significant issue. Hopefully, that makes sense.

Sent from my iPhone

Ashley Fernandez

GIBSON DUNN

Gibson, Dunn & Crutcher LLP  
200 Park Avenue, New York, NY 10166-0193<x-apple-data-detectors://1/0>  
Tel +1 212.351.3884<tel:+1%20212.351.3884> • Fax +1 212.716.0884<tel:+1%20212.716.0884>  
AFernandez@gibsondunn.com<<mailto:AFernandez@gibsondunn.com>> •  
www.gibsondunn.com<<http://www.gibsondunn.com/>>

On Nov 8, 2019, at 11:45 AM, Silverman, Alex B.  
<ASilverman@carltonfields.com<<mailto:ASilverman@carltonfields.com>>> wrote:  
[External Email]

Thanks, Ashley, will do. Just to be clear, what you sent over breaks down the Boolean search for only the top 50



hits (several of which were not on the “common” terms list in Appendix C to begin with), rather than all of the “common” terms in Appendix C. I assume you will consider doing the same exercise for the other “common” terms based on the outcome of the top 50, but just confirming.

Alex B. Silverman

Attorney at Law | Carlton Fields

405 Lexington Avenue, 36th Floor | New York, New York 10174-0002

Direct: 212.380.9627 | Fax: 212.785.5203

ASilverman@carltonfields.com<<mailto:ASilverman@carltonfields.com>>

From: Fernandez, Ashley <AFernandez@gibsondunn.com<<mailto:AFernandez@gibsondunn.com>>>

Sent: Friday, November 8, 2019 11:09 AM

To: Silverman, Alex B. <ASilverman@carltonfields.com<<mailto:ASilverman@carltonfields.com>>>

Cc: Neuman, Andrea E. <ANeuman@gibsondunn.com<<mailto:ANeuman@gibsondunn.com>>>; Yaeger, Michael L.

<MYaeger@carltonfields.com<<mailto:MYaeger@carltonfields.com>>>

Subject: RE: Chevron-Rizack Protocol

Alex,

I am attaching a spreadsheet with the Boolean search terms broken down into individual searches. Please ask your vendor to run the searches and provide us with the resulting hit counts. Once we have that data, we can begin proposing changes to the Boolean string.

In addition, we are continuing to formulate additional proposals to reduce the total number of Potentially Responsive Search Terms and will be in touch soon.

Thanks,

Ashley

Ashley Fernandez

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200 Park Avenue, New York, NY 10166-0193

Tel +1 212.351.3884 • Fax +1 212.716.0884

AFernandez@gibsondunn.com<<mailto:AFernandez@gibsondunn.com>> •

www.gibsondunn.com<<http://www.gibsondunn.com/>>

From: Silverman, Alex B. <ASilverman@carltonfields.com<<mailto:ASilverman@carltonfields.com>>>

Sent: Thursday, November 7, 2019 11:36 AM

To: Fernandez, Ashley <AFernandez@gibsondunn.com<<mailto:AFernandez@gibsondunn.com>>>

Cc: Neuman, Andrea E. <ANeuman@gibsondunn.com<<mailto:ANeuman@gibsondunn.com>>>; Yaeger, Michael L.

<MYaeger@carltonfields.com<<mailto:MYaeger@carltonfields.com>>>

Subject: RE: Chevron-Rizack Protocol

[External Email]

Ashley –

We can run those searches, but since none of this would be free on our end, we ask that Stroz break out the Boolean terms into the individual search phrases (“X w/20,” “Y w/20,” etc.). We’ll send the new numbers over to you once we have them and then we can take it from there.

Thanks,

Alex

Alex B. Silverman

Attorney at Law | Carlton Fields

405 Lexington Avenue, 36th Floor | New York, New York 10174-0002

Direct: 212.380.9627 | Fax: 212.785.5203

ASilverman@carltonfields.com<<mailto:ASilverman@carltonfields.com>>

From: Fernandez, Ashley <AFernandez@gibsondunn.com<<mailto:AFernandez@gibsondunn.com>>>

Sent: Thursday, November 7, 2019 10:29 AM

To: Neuman, Andrea E. <ANeuman@gibsondunn.com<<mailto:ANeuman@gibsondunn.com>>>; Silverman, Alex B. <ASilverman@carltonfields.com<<mailto:ASilverman@carltonfields.com>>>

Cc: Yaeger, Michael L. <MYaeger@carltonfields.com<<mailto:MYaeger@carltonfields.com>>>

Subject: RE: Chevron-Rizack Protocol

Alex,

We have reviewed the “top hits” and Search Term Report you sent earlier this week with our expert and have a proposal which we believe will significantly lower the number of Potentially Responsive Documents.

It appears that a large proportion of the search terms generating 1000s of hits are the “common name” terms cabined by the Boolean string. Our forensic expert advises that the issue is likely not with the original terms, but with one of the terms within the Boolean string. To identify the problematic Boolean term, he proposes running each of the top 10 common name terms with each Boolean term individually. Thus, you would run a search of (1) Will /20 Judg!; (2) Will /20 Ecuador; (3) Will /20 Invest! . . . and so on for each Boolean term - all separate searches. You would then repeat this step for the following 9 top common name search terms (Lee, Deborah, John, Paul, Joshua, Media, David, People, Long) and evaluate the results to see if any patterns emerge with respect to the Boolean terms. Once we’ve identified a potentially problematic term (or terms) we can restructure the Boolean searches.

Our expert advises us that this should not be burdensome, as it is quick and easy to execute, and may have a dramatic impact on the number of Potentially Responsive Documents. If you vendor is unable to adjust the terms in this manner, Stroz can send you an updated list breaking out the terms. Please let us know if you are willing to run the searches and share the hit results.

We are also working on other proposals to limit the total volume of documents and will revert with further suggestions soon.

Thanks,

Ashley

Ashley Fernandez

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200 Park Avenue, New York, NY 10166-0193

Tel +1 212.351.3884 • Fax +1 212.716.0884

AFernandez@gibsondunn.com<<mailto:AFernandez@gibsondunn.com>> •

[www.gibsondunn.com<http://www.gibsondunn.com/>](http://www.gibsondunn.com/)

From: Neuman, Andrea E. <ANeuman@gibsondunn.com<<mailto:ANeuman@gibsondunn.com>>>

Sent: Wednesday, November 6, 2019 6:18 PM

To: Silverman, Alex B. <ASilverman@carltonfields.com<<mailto:ASilverman@carltonfields.com>>>

Cc: Fernandez, Ashley <AFernandez@gibsondunn.com<<mailto:AFernandez@gibsondunn.com>>>; Yaeger, Michael L. <MYaeger@carltonfields.com<<mailto:MYaeger@carltonfields.com>>>

Subject: Re: Chevron-Rizack Protocol

Yes, we were requesting a list of the email addresses from the emails that are currently in the universe of potentially responsive documents. Our thinking is that a review of that list could allow us to eliminate documents based on either the “to” or “from” address (amazon.com<<http://amazon.com>> for example) and/or allow us to identify a smaller universe of documents on which to focus the review given the current volume concerns.

On Nov 5, 2019, at 12:10 PM, Silverman, Alex B.

<ASilverman@carltonfields.com<<mailto:ASilverman@carltonfields.com>>> wrote:

[External Email]

We did not interpret your request as one for every single email address contained in/on a document that hits on a search term, even if the email address is not itself a search term. Is that what you are asking for?

Alex B. Silverman

Attorney at Law | Carlton Fields

405 Lexington Avenue, 36th Floor | New York, New York 10174-0002

Direct: 212.380.9627 | Fax: 212.785.5203

ASilverman@carltonfields.com<<mailto:ASilverman@carltonfields.com>>

From: Neuman, Andrea E. <ANeuman@gibsondunn.com<<mailto:ANeuman@gibsondunn.com>>>

Sent: Tuesday, November 5, 2019 12:03 PM

To: Silverman, Alex B. <ASilverman@carltonfields.com<<mailto:ASilverman@carltonfields.com>>>

Cc: Fernandez, Ashley <AFernandez@gibsondunn.com<<mailto:AFernandez@gibsondunn.com>>>; Yaeger, Michael

L. <MYaeger@carltonfields.com<<mailto:MYaeger@carltonfields.com>>>

Subject: Re: Chevron-Rizack Protocol

Alex - The Second list does not appear a list of the email addresses contained in/on documents that hit on search terms but rather a larger analysis of some kind. Is that what you intended to send?

Andrea E. Neuman

Andrea E. Neuman

On Nov 5, 2019, at 11:50 AM, Silverman, Alex B.

<ASilverman@carltonfields.com<<mailto:ASilverman@carltonfields.com>>> wrote:

[External Email]

Andrea – The updated “Top 50” spreadsheet is attached. I’m also attaching a Search Term Report that provides insight on (1) the number of documents that are returned from the 108 search terms that are email addresses, and (2) the number of “unique hits” for each of the individual search terms or search phrases in Appendix C.

Note that for Relativity-related technical reasons, the totals in the Search Term Report do not take into account the number of “personal/confidential documents” that we are excluding under paragraph 6(c), although that number is not more than 1,000.

Please let us know if you have any questions.

Thanks,

Alex

Alex B. Silverman

Attorney at Law | Carlton Fields

405 Lexington Avenue, 36th Floor | New York, New York 10174-0002

Direct: 212.380.9627 | Fax: 212.785.5203

ASilverman@carltonfields.com<<mailto:ASilverman@carltonfields.com>>

From: Neuman, Andrea E. <ANeuman@gibsondunn.com<<mailto:ANeuman@gibsondunn.com>>>

Sent: Tuesday, November 5, 2019 10:14 AM

To: Silverman, Alex B. <ASilverman@carltonfields.com<<mailto:ASilverman@carltonfields.com>>>

Cc: Fernandez, Ashley <AFernandez@gibsondunn.com<<mailto:AFernandez@gibsondunn.com>>>; Yaeger, Michael

L. <MYaeger@carltonfields.com<<mailto:MYaeger@carltonfields.com>>>

Subject: Re: Chevron-Rizack Protocol

Thank you - you're correct. Are you able to send the email address list this morning? Also, fyi, Donziger's criminal counsel filed a letter with the criminal court stating that images of Donziger's devices have been created. Unfortunately, the images have not been provided to the neutral forensic examiner as yet but this may become a relevant development if that changes.

On Nov 5, 2019, at 10:09 AM, Silverman, Alex B.

<ASilverman@carltonfields.com<<mailto:ASilverman@carltonfields.com>>> wrote:

[External Email]

Yes, the unique hits column would tell you the total number of documents containing only one of the top 50 terms, but it of course does not address unique hits on the many other search terms, which I believe is what you're interested in seeing, but correct me if I'm wrong.

Also, just a heads up, I noticed this morning that three of the searches in that top 50 spreadsheet were searches we had asked our team to run so that we can present hypothetical numbers to you in an effort to potentially reduce volume, and that you have not specifically agreed to these three particular revisions. I'm referring to Lee w/5, Will~ w/5, and "Will~ AND (Baue OR Thomas OR Lucitante OR Littlechild OR Lewis OR Brown)." We are having the team re-run the numbers to remove the "Will~ AND...." search phrase entirely, and to make both Lee and Will w/20, instead of w/5. We'll have updated numbers for you shortly.

Thanks,

Alex

Alex B. Silverman

Attorney at Law | Carlton Fields

405 Lexington Avenue, 36th Floor | New York, New York 10174-0002

Direct: 212.380.9627 | Fax: 212.785.5203

ASilverman@carltonfields.com<<mailto:ASilverman@carltonfields.com>>

From: Neuman, Andrea E. <ANeuman@gibsondunn.com<<mailto:ANeuman@gibsondunn.com>>>

Sent: Monday, November 4, 2019 8:41 PM

To: Silverman, Alex B. <ASilverman@carltonfields.com<<mailto:ASilverman@carltonfields.com>>>

Cc: Fernandez, Ashley <AFernandez@gibsondunn.com<<mailto:AFernandez@gibsondunn.com>>>; Yaeger, Michael

L. <MYaeger@carltonfields.com<<mailto:MYaeger@carltonfields.com>>>

Subject: Re: Chevron-Rizack Protocol

Yes - but maybe that's substantively covered by your unique hits column in the attached?

Sent from my iPhone

Andrea E. Neuman

On Nov 4, 2019, at 8:37 PM, Silverman, Alex B.

<ASilverman@carltonfields.com<<mailto:ASilverman@carltonfields.com>>> wrote:

[External Email]

Andrea - The "top 50" spreadsheet is attached. I'd like to nail down a question I have for the team about the email address list before sending, but you can plan on having it sometime tomorrow morning.

Regarding the other request, please correct me if I'm wrong, but I believe you're looking for the total number of documents (and associated families) that contain only a single search term (or only one of the "Common Name" Boolean strings), and a list of all those search terms. Is that correct?

Thanks

Alex B. Silverman

Attorney at Law | Carlton Fields

405 Lexington Avenue, 36th Floor | New York, New York 10174-0002

Direct: 212.380.9627 | Fax: 212.785.5203

ASilverman@carltonfields.com<<mailto:ASilverman@carltonfields.com>>

From: Neuman, Andrea E. <ANeuman@gibsondunn.com<<mailto:ANeuman@gibsondunn.com>>>  
Sent: Monday, November 4, 2019 7:28 PM  
To: Silverman, Alex B. <ASilverman@carltonfields.com<<mailto:ASilverman@carltonfields.com>>>  
Cc: Fernandez, Ashley <AFernandez@gibsondunn.com<<mailto:AFernandez@gibsondunn.com>>>; Yaeger, Michael L. <MYaeger@carltonfields.com<<mailto:MYaeger@carltonfields.com>>>  
Subject: Re: Chevron-Rizack Protocol

Great - thanks  
Andrea E. Neuman

On Nov 4, 2019, at 7:24 PM, Silverman, Alex B.  
<ASilverman@carltonfields.com<<mailto:ASilverman@carltonfields.com>>> wrote:  
[External Email]

Hi Andrea — I can send you the “top hits” list and info about the email address hits tonight. The other request is more involved but the team is working on it and you can expect something tomorrow.

Best,  
Alex

On Nov 4, 2019, at 7:09 PM, Neuman, Andrea E.  
<ANeuman@gibsondunn.com<<mailto:ANeuman@gibsondunn.com>>> wrote:

Hi Alex,

Do you have an eta on these lists?

Thanks much, Andrea

Andrea E. Neuman

On Nov 4, 2019, at 10:16 AM, Silverman, Alex B.  
<ASilverman@carltonfields.com<<mailto:ASilverman@carltonfields.com>>  
<<mailto:ASilverman@carltonfields.com>>> wrote:

[External Email]  
Thanks, I’m sure it won’t be a problem to get that to you also.

Alex B. Silverman  
Attorney at Law | Carlton Fields  
405 Lexington Avenue, 36th Floor | New York, New York 10174-0002  
Direct: 212.380.9627 | Fax: 212.785.5203  
ASilverman@carltonfields.com<<mailto:ASilverman@carltonfields.com>><<mailto:ASilverman@carltonfields.com>>  
From: Neuman, Andrea E. <ANeuman@gibsondunn.com<<mailto:ANeuman@gibsondunn.com>>  
<<mailto:ANeuman@gibsondunn.com>>>  
Sent: Monday, November 4, 2019 10:12 AM  
To: Silverman, Alex B. <ASilverman@carltonfields.com<<mailto:ASilverman@carltonfields.com>>  
<<mailto:ASilverman@carltonfields.com>>>  
Cc: Fernandez, Ashley <AFernandez@gibsondunn.com<<mailto:AFernandez@gibsondunn.com>>  
<<mailto:AFernandez@gibsondunn.com>>>; Yaeger, Michael L.  
<MYaeger@carltonfields.com<<mailto:MYaeger@carltonfields.com>><<mailto:MYaeger@carltonfields.com>>>  
Subject: Re: Chevron-Rizack Protocol

Alex -

We are amenable to tolling deadlines this week. So that you do not need to return to your team repeatedly, the other

data point we've been told would be useful is whether you have or could easily generate a list of documents hits by email addresses.

Thank you, Andrea

On Nov 4, 2019, at 10:05 AM, Silverman, Alex B.

<ASilverman@carltonfields.com<<mailto:ASilverman@carltonfields.com>>

<<mailto:ASilverman@carltonfields.com>>> wrote:

[External Email]

Andrea –

Thanks for your message. Mr. Rizack simply cannot afford to continue this back and forth, much less the time-consuming measures that have been necessary thus far in order to cut down the review while maintaining the breadth that Chevron desires. Our 10/22 email was the result of considerable time spent on our end to get a sense of the numbers so that they can be presented to Chevron as quickly as possible, along with potential solutions. In that very email (and later emails), we also invited you to propose other modifications. It's now 11/4 and you have made one search term-related suggestion (regarding Aaron Page). And yes, you've now agreed to several of our original 10/22 proposals, but that also took time and additional back and forth.

All that being said, we can give you an additional week to consider a meaningful solution on your end before we seek relief from the Court, but we will need you to toll all deadlines in the interim. To be clear, we would not be doing any review during this time. Cypsis will be continuing its work, but we would not, and, of course, no e-discovery vendor has been retained. We are willing to provide you with an updated document list reflecting the top hits. We will also speak with our team about getting you a list of the documents hitting on only a single search term (or only one Boolean search for purposes of the "Common/Names/Entities" list). However, as stated above, during our teleconference, and in prior emails, Mr. Rizack cannot afford more back-and-forth attorney time during this tolled period.

Please let us know if you will toll all deadlines during this week, specifically including the next bi-weekly deadline of 11/13.

Thanks,  
Alex

Alex B. Silverman

Attorney at Law | Carlton Fields

405 Lexington Avenue, 36th Floor | New York, New York 10174-0002

Direct: 212.380.9627 | Fax: 212.785.5203

ASilverman@carltonfields.com<<mailto:ASilverman@carltonfields.com>><<mailto:ASilverman@carltonfields.com>>

From: Neuman, Andrea E. <ANeuman@gibsondunn.com<<mailto:ANeuman@gibsondunn.com>>

<<mailto:ANeuman@gibsondunn.com>>>

Sent: Monday, November 4, 2019 9:46 AM

To: Silverman, Alex B. <ASilverman@carltonfields.com<<mailto:ASilverman@carltonfields.com>>

<<mailto:ASilverman@carltonfields.com>>>

Cc: Fernandez, Ashley <AFernandez@gibsondunn.com<<mailto:AFernandez@gibsondunn.com>>

<<mailto:AFernandez@gibsondunn.com>>>; Yaeger, Michael L.

<MYaeger@carltonfields.com<<mailto:MYaeger@carltonfields.com>><<mailto:MYaeger@carltonfields.com>>>

Subject: Re: Chevron-Rizack Protocol

Alex and Michael,

Following upon the below and our call, in order for us to work on solutions to the volume issue, could you please provide us with an updated doc list (rather than a screen shot) of the number of documents per term? Would it also be possible to generate a list of the number of documents that only hit on one term? If you've been provided other listings relating to these volume issues that you've found informative, we'd like to review those as well. So that you don't have to expend time on these requests, we are happy to make them directly to the document vendor with a copy to you if that would be helpful.

Andrea E. Neuman

On Nov 4, 2019, at 8:42 AM, Neuman, Andrea E.

<ANeuman@gibsondunn.com<<mailto:ANeuman@gibsondunn.com>><<mailto:ANeuman@gibsondunn.com>>>  
wrote:

In a correction to my note below, it appears that Thursday was the first time you suggested court intervention.

Sent from my iPhone

On Nov 4, 2019, at 8:32 AM, Neuman, Andrea E.

<ANeuman@gibsondunn.com<<mailto:ANeuman@gibsondunn.com>><<mailto:ANeuman@gibsondunn.com>>>  
wrote:

Alex,

Have texts and WhatsApp messages between Donziger and Mr. Rizack been specifically searched for? We may have misunderstood you but our understanding is correctly stated below. In addition, as you have only produced emails despite Donziger's phone records showing that texts should exist, we're not sure what you mean you state that you haven't "come across" any texts.

In terms of the search terms and Court intervention, we agreed to essentially all the term limitations you proposed for terms you reported to us were resulting in excessive hits, and are working on these issues now that we have more information that you've only very recently provided. I believe you first raised the issue of Court intervention on Weds. at the same time you first provided a cost estimate so you obviously have not provided sufficient time for us to work on solutions. We are also willing to work with you on the interim deadlines. Giving us at least a week to consult on these issues after your Saturday update is a reasonable request.

Regards, Andrea

Sent from my iPhone

On Nov 3, 2019, at 10:44 PM, Silverman, Alex B.

<ASilverman@carltonfields.com<<mailto:ASilverman@carltonfields.com>>  
<<mailto:ASilverman@carltonfields.com>>> wrote:

[External Email]

Andrea and Ashley,

We did not, as you claim, "represent on the call that [we] have not looked for any text messages, WhatsApp messages, or other forms of non-email communication to or from Donziger." Rather, and as we stated clearly on our call, we have not yet come across such messages. Also, we have already produced many email messages to and from Donziger, and we are in compliance with Paragraph 9(a) of the Protocol.

As both the email chain below and our teleconference reflect, we have spent a considerable amount of time running different search terms, presenting them to you as options, and seeking further suggestions as to how the terms might be modified in ways we have not thought of. Your response has been that Chevron should take over a part of the responsiveness review, which we of course cannot accept. Your proposal to insert yourselves into the responsiveness review is akin to the approach you advocated in your motion and in your portion of the joint letter of August 28, 2019, a proposal that was rejected by the Court.

The prolonged negotiations in this case (including the post-Protocol meet-and-confers) have already taxed Mr. Rizack's resources to the limit, and it is clear that any review derived from the search terms on which Chevron insists will be extraordinarily expensive, even with the use of assisted review technology and low-cost contract attorneys. At the same time, the bi-weekly productions and the ultimate production deadline in the Protocol have



been revealed to be untenable. Extending the ultimate deadline by one week would accomplish virtually nothing, and would certainly not address either the problem of the bi-weekly deadlines or the larger issues with the review and its cost.

After numerous emails and requests for your input over two weeks, and Friday's teleconference, we've reached the point where we need to inform the Court of the problem with the deadlines and the size and cost of the review.

Thanks,  
Alex

On Nov 3, 2019, at 6:40 PM, Fernandez, Ashley  
<AFernandez@gibsondunn.com<<mailto:AFernandez@gibsondunn.com>><<mailto:AFernandez@gibsondunn.com>>>  
wrote:

Michael and Alex,

Thank you for the call Friday and the update today. As we mentioned Friday, we'll need until mid-week to consult on our end with our experts and respond with further suggestions. In particular, we are focused on the large number of documents the search terms yielded and would like to work with you further to narrow the number of Potentially Responsive Documents assuming the current hits include non-responsive documents. This is to confirm that you not as yet undertaken any substantive review of these documents (aside from the Donziger/Rizack documents that you have produced) and cannot offer insight to what percentage of them is likely to be non-responsive.

You mentioned Friday your intent to file a letter with the Court early this week. It's unclear to us what, if any, specific relief such a letter will request and we again request to see any specific requests for relief in writing as they will be presented to the Court before they are filed. We also request that, rather than rushing a filing, you give Chevron at least this week to consider and consult on the issues you have raised and determine if any further agreements can be reached before requesting court intervention. You mentioned your concern with the back-end production deadline of December 2nd. We are amenable to moving that deadline one week if necessary to allow for further meet and confer now when it would be most productive to allay this concern.

In terms of a proposal to address Mr. Rizack's cost concern. Now that his personal and confidential documents have all been removed from the current universe of Potentially Responsive Documents, Chevron proposes that its counsel, acting under a 502 and Attorneys' eyes only agreement, review and code for predictive coding purposes only 5% of the current universe of Potentially Responsive Documents. Given that all of Mr. Rizack's Personal and/or Confidential documents have been removed from the corpus of Potentially Responsive Documents, there should be no privacy concerns with this proposal. In terms of the concern you expressed on the phone that such a review would somehow supplant your responsive review on Mr. Rizack's behalf, that is simply incorrect. This process would only serve to reduce the total number of documents to be reviewed for responsiveness. The responsiveness review would still be fully within your control and our coding of a document as responsive for predictive coding purposes would not control whether you determined it was in fact responsive during a responsiveness review. This proposal allows the total universe of documents to be reviewed for responsiveness to be reduced at no cost to Mr. Rizack. Likewise, it allows to more meaningfully participate in the process of narrowing the documents to be produced without infringing on Mr. Rizack's privacy or his ability to have his counsel ultimately determine responsiveness.

Finally, you represented on the call that you have not looked for any text messages, WhatsApp messages, or other forms of non-email communication to or from Donziger. We ask that, in order to comply with Paragraph 9(a) of the Protocol, you search for and produce those documents forthwith.

Thanks,

Ashley  
Ashley Fernandez



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From: Yaeger, Michael L. <[MYaeger@carltonfields.com](mailto:MYaeger@carltonfields.com)><<mailto:MYaeger@carltonfields.com>>>

Sent: Saturday, November 2, 2019 11:37 PM

To: Neuman, Andrea E. <[ANeuman@gibsondunn.com](mailto:ANeuman@gibsondunn.com)><<mailto:ANeuman@gibsondunn.com>>>

Cc: Fernandez, Ashley <[AFernandez@gibsondunn.com](mailto:AFernandez@gibsondunn.com)><<mailto:AFernandez@gibsondunn.com>>>; Silverman, Alex B.

<[ASilverman@carltonfields.com](mailto:ASilverman@carltonfields.com)><<mailto:ASilverman@carltonfields.com>>>

Subject: RE: Chevron-Rizack Protocol

[External Email]

After our call on Friday we went back to our vendor, Epiq. After some additional discussion, they have come back to us tonight and concluded that, by using a technology commonly referred to as continuous active learning (CAL), they can revise the cost of their part of the review to \$210,000. However, they caution that that number is just an estimate. In any event, it is a sum that Mr. Rizack simply cannot afford.

Best,

Michael

Michael L Yaeger

Shareholder | Carlton Fields

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<<mailto:MYaeger@carltonfields.com>>

From: Yaeger, Michael L.

Sent: Thursday, October 31, 2019 4:47 PM

To: 'Neuman, Andrea E.' <[ANeuman@gibsondunn.com](mailto:ANeuman@gibsondunn.com)><<mailto:ANeuman@gibsondunn.com>>>

Cc: Fernandez, Ashley <[AFernandez@gibsondunn.com](mailto:AFernandez@gibsondunn.com)><<mailto:AFernandez@gibsondunn.com>>>; Silverman, Alex B.

<[ASilverman@carltonfields.com](mailto:ASilverman@carltonfields.com)><<mailto:ASilverman@carltonfields.com>>>

Subject: RE: Chevron-Rizack Protocol

We only modified Appendix C if we proposed a particular revision to Chevron and Chevron specifically accepted that proposal, or, alternatively, if Chevron made a counter-proposal (e.g., for the Aaron Page search), and we accepted that proposal. All of these discussions are reflected in this email chain, beginning with Alex's email from 10/22/19. No other revisions to Appendix C were made. Against that backdrop, the 403k figure is the result of: (a) running the search terms in Appendix C, as modified consistent with our emails below; and (b) excluding documents pursuant to paragraph 6(c)(iii).

For reference, if Chevron were to agree to all of the revisions we previously proposed, and if we also revised the Aaron Page search as we specifically discussed (i.e., "Aaron or Marr" and a separate search for "Mr. or A. w/2 Page"), the total number of documents to review would be 396,343 documents. That drop of approximately 7,000 documents would not significantly lower the cost of review. (A little more detail on the numbers: when we gave you figures for "hits" from search terms in our email of 10/22/19, the database of documents we were applying the

terms to was smaller than it is now; it did not include documents on two of the devices because those two devices were still in the process of being indexed so that they could be searched. I.e., those devices had already been imaged, but the documents the devices contained were still in the process of being made searchable. And when the documents from those devices were added to the database, all “hit” totals from search terms went up. Thus, the total universe of documents is larger than it appeared when we emailed you on 10/22/19, and even with the revisions Chevron agreed to the total number of documents is 403,358 documents. Further, as noted above, even with all of the revisions we proposed, the total number of documents would be 396,343.)

Regarding predictive coding, we have not yet started searching the full document population using predictive coding or another form of assisted review technology. That was not necessary to review and produce the volume of “to/from Donziger” documents produced yesterday, and for the financial reasons outlined in my earlier email, we have not yet been able to dig into a review of the full universe of documents.

Michael L Yaeger  
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<<mailto:MYaeger@carltonfields.com>>

From: Neuman, Andrea E. <ANeuman@gibsondunn.com<<mailto:ANeuman@gibsondunn.com>>  
<<mailto:ANeuman@gibsondunn.com>><<mailto:ANeuman@gibsondunn.com>>>  
Sent: Thursday, October 31, 2019 12:53 PM  
To: Yaeger, Michael L. <MYaeger@carltonfields.com<<mailto:MYaeger@carltonfields.com>>  
<<mailto:MYaeger@carltonfields.com>><<mailto:MYaeger@carltonfields.com>>>  
Cc: Fernandez, Ashley <AFernandez@gibsondunn.com<<mailto:AFernandez@gibsondunn.com>>  
<<mailto:AFernandez@gibsondunn.com>><<mailto:AFernandez@gibsondunn.com>>>; Silverman, Alex B.  
<ASilverman@carltonfields.com<<mailto:ASilverman@carltonfields.com>><<mailto:ASilverman@carltonfields.com>>>  
<<mailto:ASilverman@carltonfields.com>>>  
Subject: Re: Chevron-Rizack Protocol

Does this include all the term limits that you previously suggested? I think so but want to confirm. Also, this does not include any predictive coding correct? In other words, no one has coded a small percentage of these documents and then had the computer apply that coding to the remainder?

Andrea E. Neuman

On Oct 31, 2019, at 12:38 PM, Yaeger, Michael L.  
<MYaeger@carltonfields.com<<mailto:MYaeger@carltonfields.com>><<mailto:MYaeger@carltonfields.com>>  
<<mailto:MYaeger@carltonfields.com>>> wrote:

[External Email]

Andrea and Ashley,

Even after running the modified terms and excluding personal/confidential documents under paragraph 6(c)(iii), there are still 403,358 documents to review. With 403,358 documents to review, the cost will be enormous even with the use of assisted review technology and first-level contract attorneys that bill out at \$35 per hour. In fact, our e-discovery vendor, Epiq, estimates that the cost of their review will be approximately \$350,000. (That sum does not include our attorneys’ fees incurred to date.) Mr. Rizack simply cannot afford that cost, and thus he does not have the money to hire an e-discovery vendor to do the review. In addition, even at the cost of \$350,000, Epiq estimates that a review would take 9 weeks – which is of course after the Protocol’s ultimate production deadline of December 2, 2019.

Chevron has made clear that its position is it will not pay for attorney’s fees or e-discovery vendor costs. Accordingly, we assume that we will need to go the Court for relief regarding costs and deadlines. But please let us know if Chevron is willing to change its position. Given the impending deadlines in the Protocol, we feel obligated to let the Court know as soon as possible where things stand, and so we ask that Chevron get back to us this week.

Best,  
Michael

Michael L Yaeger  
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From: Fernandez, Ashley <AFernandez@gibsondunn.com<<mailto:AFernandez@gibsondunn.com>>  
<<mailto:AFernandez@gibsondunn.com>><<mailto:AFernandez@gibsondunn.com>>>  
Sent: Tuesday, October 29, 2019 1:53 PM  
To: Silverman, Alex B. <ASilverman@carltonfields.com<<mailto:ASilverman@carltonfields.com>>  
<<mailto:ASilverman@carltonfields.com>><<mailto:ASilverman@carltonfields.com>>>; Neuman, Andrea E.  
<ANeuman@gibsondunn.com<<mailto:ANeuman@gibsondunn.com>><<mailto:ANeuman@gibsondunn.com>>  
<<mailto:ANeuman@gibsondunn.com>>>  
Cc: Yaeger, Michael L. <MYaeger@carltonfields.com<<mailto:MYaeger@carltonfields.com>>  
<<mailto:MYaeger@carltonfields.com>><<mailto:MYaeger@carltonfields.com>>>  
Subject: RE: Chevron-Rizack Protocol

Alex,

We can agree to drop “A /2 Page” for now, with the understanding that we may seek to revisit the search later, depending on Mr. Rizack’s productions.

Best,

Ashley

Ashley Fernandez

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From: Silverman, Alex B. <ASilverman@carltonfields.com<<mailto:ASilverman@carltonfields.com>>  
<<mailto:ASilverman@carltonfields.com>><<mailto:ASilverman@carltonfields.com>>>  
Sent: Monday, October 28, 2019 11:31 AM  
To: Fernandez, Ashley <AFernandez@gibsondunn.com<<mailto:AFernandez@gibsondunn.com>>  
<<mailto:AFernandez@gibsondunn.com>><<mailto:AFernandez@gibsondunn.com>>>; Neuman, Andrea E.  
<ANeuman@gibsondunn.com<<mailto:ANeuman@gibsondunn.com>><<mailto:ANeuman@gibsondunn.com>>  
<<mailto:ANeuman@gibsondunn.com>>>  
Cc: Yaeger, Michael L. <MYaeger@carltonfields.com<<mailto:MYaeger@carltonfields.com>>  
<<mailto:MYaeger@carltonfields.com>><<mailto:MYaeger@carltonfields.com>>>  
Subject: RE: Chevron-Rizack Protocol

[External Email]

Thanks, Ashley. Regarding the Aaron Page search, we will have to object to the extent you are proposing we search for the letter “A” within two words of “Page.” We can do “Aaron OR Marr OR (Mr. OR A. w/2 Page),” but running a search for the letter “A,” even with a modifier, seems counterproductive. We don’t object to your right to request further searches if you believe “A.” (with the period) is ultimately too narrow.

Please let us know if this works. We'll run the other searches in the meantime and will be back in touch if necessary.

Best,  
Alex

Alex B. Silverman  
Attorney at Law | Carlton Fields  
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<<mailto:ASilverman@carltonfields.com>>  
From: Fernandez, Ashley <AFernandez@gibsondunn.com<<mailto:AFernandez@gibsondunn.com>>  
<<mailto:AFernandez@gibsondunn.com>><<mailto:AFernandez@gibsondunn.com>>>  
Sent: Sunday, October 27, 2019 8:02 PM  
To: Silverman, Alex B. <ASilverman@carltonfields.com<<mailto:ASilverman@carltonfields.com>>  
<<mailto:ASilverman@carltonfields.com>><<mailto:ASilverman@carltonfields.com>>>; Neuman, Andrea E.  
<ANeuman@gibsondunn.com<<mailto:ANeuman@gibsondunn.com>><<mailto:ANeuman@gibsondunn.com>>  
<<mailto:ANeuman@gibsondunn.com>>>  
Cc: Yaeger, Michael L. <MYaeger@carltonfields.com<<mailto:MYaeger@carltonfields.com>>  
<<mailto:MYaeger@carltonfields.com>><<mailto:MYaeger@carltonfields.com>>>  
Subject: RE: Chevron-Rizack Protocol

Alex,

We have considered your request and agree to limit Bank, Capital, Will, and Lee to w/20 (Ecuador OR Donziger OR Steve! OR RICO OR Agrio OR Chevron OR Enforce! OR Lenczner OR Canad!). We also agree to limit Cohen, Grant, and Gordon to w/20 (Judg! OR Ecuador OR Invest! OR Bank OR Escrow OR deposit OR Ac-count OR Donziger OR Steve! OR RICO OR Agrio OR Chevron OR Enforce! OR Lenczner OR deposit OR pay! OR transfer OR Canad!).

With respect to Page, we propose searching "Aaron OR Marr OR (Mr. OR A. OR A w/2 Page)".

All of these agreed limitations are subject to Chevron's ability to request additional searches if Mr. Rizack's subsequent productions indicate that these limitations may have been too narrow.

Please let us know how Paragraph 6(c) parses down the number of potentially relevant documents.

Thanks,

Ashley  
Ashley Fernandez

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From: Silverman, Alex B. <ASilverman@carltonfields.com<<mailto:ASilverman@carltonfields.com>>  
<<mailto:ASilverman@carltonfields.com>><<mailto:ASilverman@carltonfields.com>>>  
Sent: Friday, October 25, 2019 9:30 AM

To: Fernandez, Ashley <AFernandez@gibsondunn.com<<mailto:AFernandez@gibsondunn.com>>  
<<mailto:AFernandez@gibsondunn.com>><<mailto:AFernandez@gibsondunn.com>>>; Neuman, Andrea E.  
<ANeuman@gibsondunn.com<<mailto:ANeuman@gibsondunn.com>><<mailto:ANeuman@gibsondunn.com>>  
<<mailto:ANeuman@gibsondunn.com>>>  
Cc: Yaeger, Michael L. <MYaeger@carltonfields.com<<mailto:MYaeger@carltonfields.com>>  
<<mailto:MYaeger@carltonfields.com>><<mailto:MYaeger@carltonfields.com>>>  
Subject: RE: Chevron-Rizack Protocol

[External Email]

Ashley,

We've already started on the 6(c) steps and will let you know how the landscape changes once completed. That said, the 6(c) exclusions undoubtedly will not eliminate the false hits on "page," "will" and other specific terms discussed in my 10/22 email. Even if the 430k number is cut by, say, 50k documents, we'd still have 380k documents to review—a massive number. (And, to be clear, I pulled that 50k number completely out of thin air; we seriously doubt it will be that high, but ultimately don't know at the moment. Even if its 100k, the volume issue remains). Also, the "at least three terms" requirement in 6(c)(iii) only compounds the problem. If an otherwise excludable document has "will," "page," and, say, "Cohen," in its content, that document is no longer excluded.

We appreciate the need for efficiency, and agree it makes sense to move on to 6(c) in the meantime, which is why we've already done so. But, we believe punting on the issues in my 10/22 email until some "later" time will be the least efficient way of doing this in the long term. We are open to a call on the search terms, but ask that you make meaningful suggestions beforehand so that we can run your proposed searches and then have a discussion about where we should land.

In the short term, we are still on track for a production on 10/30.

Best,  
Alex

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From: Fernandez, Ashley <AFernandez@gibsondunn.com<<mailto:AFernandez@gibsondunn.com>>  
<<mailto:AFernandez@gibsondunn.com>><<mailto:AFernandez@gibsondunn.com>>>  
Sent: Thursday, October 24, 2019 5:49 PM  
To: Silverman, Alex B. <ASilverman@carltonfields.com<<mailto:ASilverman@carltonfields.com>>  
<<mailto:ASilverman@carltonfields.com>><<mailto:ASilverman@carltonfields.com>>>; Neuman, Andrea E.  
<ANeuman@gibsondunn.com<<mailto:ANeuman@gibsondunn.com>><<mailto:ANeuman@gibsondunn.com>>  
<<mailto:ANeuman@gibsondunn.com>>>  
Cc: Yaeger, Michael L. <MYaeger@carltonfields.com<<mailto:MYaeger@carltonfields.com>>  
<<mailto:MYaeger@carltonfields.com>><<mailto:MYaeger@carltonfields.com>>>  
Subject: RE: Chevron-Rizack Protocol

Alex,

Thank you. We have had time to review your analysis.

In an effort to be cost effective and to limit unnecessary attorney time, we believe that the most efficient next step is to proceed to Paragraph 6(c) of the Protocol and run, in a computerized fashion, the list of persons and entities whom Mr. Rizack designates as Personal and/or Confidential. After documents containing those individuals are excluded, we can reassess the volume of Potentially Responsive Documents and determine whether that step eliminated a large number of false positives or whether we need revisit the search terms.

We believe the above to be the most efficient step at this stage, but we understand that, and are willing to, make term by term adjustments later if needed. We are happy to get on a call with you to discuss to more quickly resolve any issues.

Additionally, we would like to confirm that this exercise is not delaying your production, pursuant to Paragraph 9(a), to produce documents sent to or from Donziger by October 30.

Thanks,

Ashley

Ashley Fernandez

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<<mailto:ASilverman@carltonfields.com>><<mailto:ASilverman@carltonfields.com>>>  
Sent: Tuesday, October 22, 2019 3:49 PM  
To: Neuman, Andrea E. <ANeuman@gibsondunn.com<<mailto:ANeuman@gibsondunn.com>>  
<<mailto:ANeuman@gibsondunn.com>><<mailto:ANeuman@gibsondunn.com>>>; Fernandez, Ashley  
<AFernandez@gibsondunn.com<<mailto:AFernandez@gibsondunn.com>><<mailto:AFernandez@gibsondunn.com>>  
<<mailto:AFernandez@gibsondunn.com>>>  
Cc: Yaeger, Michael L. <MYaeger@carltonfields.com<<mailto:MYaeger@carltonfields.com>>  
<<mailto:MYaeger@carltonfields.com>><<mailto:MYaeger@carltonfields.com>>>  
Subject: RE: Chevron-Rizack Protocol

[External Email]  
Andrea and Ashley –

We've now had an opportunity to run the search terms and digest the numbers, and it is clear that the review as constituted would be extraordinarily burdensome. With the current terms, there are over 430,000 documents to be reviewed. Accordingly, we think it makes sense to edit the terms in some fashion. This email provides some details on where things stand so that we can craft a more efficient review.

## I. Overview

A handful of terms have an extraordinary number of unique hits (i.e., documents actually containing the search term). For example, as shown in the screenshot below, each of the 15 highest-volume terms yields unique hits ranging from 10,098 to 109,984 documents. Those numbers increase by orders of magnitude when we include "family" documents – meaning documents tied to the "hit" document, such as attachments tied to an email that hits, or vice versa. When family documents are included, the totals for each of the 15 highest-volume terms increases to between 32,320 and 179,069. A significant number of these hits are certain to be false positives.

<image001.jpg>

Tellingly, 11 of the top 15 terms are on the "Common Names/Terms" list and thus were searched using the catalog of Boolean search modifiers. Further, every one of the 20 highest-volume terms by unique hits actually yields at



least 14,800 total documents when factoring in families (one search term with less than 10k unique hits yields over 30k total documents when families are included). Of the top 20 terms, 14 are “Common” under the Protocol and thus were searched using the Boolean modifiers. All of this is to say that we need to find a way to make this more manageable, whether by cutting terms or further limiting the modifiers.

## II. Some Particular Examples

1. One obvious place to cut would be the term “Bank,” as it is on the Common Names/Terms list even though it is also included in the list of Boolean search modifiers (i.e., “w/20 Judg! OR Ecuador OR Invest OR Bank...”). The search result for the full “Bank w/20” Boolean string—including “Bank,” as well as “Ecuador,” “Donziger,” and the other case-related terms—is 94,801 documents. But the bulk of these hits are not a result of the case-related terms; instead, they result primarily from the six other banking/financial terms in the Boolean string. That is, when “Bank” is removed from the Boolean string and we run a search for “Bank w/20” of only the six other banking terms, we still get 43,909 documents. By contrast, “Bank w/20” of the case-related terms (i.e., “Ecuador OR Donziger OR Steve! OR RICO OR Agrio OR Chevron OR Enforce! OR Lenczner OR Canad!,”) results in only 4,160 total documents. This is still quite large for a single term, but of course it is significantly less burdensome than 94,801 and 43,909. We propose limiting the search to “Bank w/20 (Ecuador OR Donziger OR Steve! OR RICO OR Agrio OR Chevron OR Enforce! OR Lenczner OR Canad!).”

2. The term “Capital” is also a financial term and so it should be limited in the same manner as “Bank.” That is, to “Capital w/20 (Ecuador OR Donziger OR Steve! OR RICO OR Agrio OR Chevron OR Enforce! OR Lenczner OR Canad!).” This search yields in 9,385 total documents (2,694 unique hits). Again, this is still a very large number, but it is also much less burdensome than 29,018 total (10,203 unique), as indicated in the screenshot above.

3. The search “Aaron OR Marr OR Page” yields 179,069 documents (including families). The overwhelming majority of these hits appear to be false positives attributable to the word “page” being a common noun signifying part of a document (e.g., “Page [X]”), as opposed to Mr. Aaron Marr Page’s last name. Other false positives include “unsubscribe page”; “contact page”; “signature page follows”; and “Mercedes-Benz incentive amount varies by model and requires a printed confirmation page from USAA Car Buying.” 108,132 documents hit on only the word “Page.” It’s impossible to say before the review is complete how many of these actually relate to Aaron Marr Page, but given the extraordinary number of hits, it is clear that “page” either needs to be removed entirely or limited significantly. As a reference point, it is worth noting that our search for “Mr. w/2 Page” returned 186 documents. We think it is highly unlikely that emails or other communications involving or otherwise referring to Aaron Page will contain only his last name, unless he is being referred to formally as “Mr. Page.” If only one name is used it is far more likely to be the first name. We suggest using this “Mr. w/2 Page” search instead and keeping “Aaron OR Marr,” which still hits on over 70k documents.

4. The search term “Will” also hits on a massive number of documents (over 91k unique hits; nearly 150k with families). Like “page,” “will” is most often not a proper noun, but instead an ordinary English verb that appears frequently in common speech (“He will...” etc.). Perhaps we could limit “Will” to the proper noun by tying it to the other names you have mentioned in draft protocols, such as William Baue, Will Thomas, or William Lucitante, or perhaps to Willie Littlechild or Willie Lewis Brown. If you insist upon keeping it as a search term, we ask that you propose ways to limit it in a meaningful way. Even when we limit the proximity to “within 5” – that is, “Will w/5” instead of “w/20” – the result is still 83,010 total documents.

5. “Lee” is another with a huge number of hits (over 90k unique hits; over 125k with families). It looks like this search term refers to Lee Grinberg. We are aware of at least one other person with the first name “Lee” who is appearing in many of the documents but who has no relevance to the Subpoena. When we run “Lee w/5” instead of “w/20,” we get 79,029 total documents. Again, a huge amount, but still a nearly 40% reduction.

III. A Few Proposals

1. Limit Bank, Capital, Page, Will, and Lee as described above.
2. Limit Cohen, Grant, and Gordon by pairing each with the Boolean string in Appendix C, which yields the following results:

Name

Documents with hits

Documents with hits, including family

Cohen w/20 (Judg! OR Ecuador OR Invest! OR Bank OR Escrow OR deposit OR Account OR Donziger OR Steve! OR RICO OR Agrio OR Chevron OR Enforce! OR Lenczner OR deposit OR pay! OR transfer OR Canad!)

7,524

15,692

Grant w/20 (Judg! OR Ecuador OR Invest! OR Bank OR Escrow OR deposit OR Account OR Donziger OR Steve! OR RICO OR Agrio OR Chevron OR Enforce! OR Lenczner OR deposit OR pay! OR transfer OR Canad!)

2,275

12,387

Gordon w/20 (Judg! OR Ecuador OR Invest! OR Bank OR Escrow OR deposit OR Account OR Donziger OR Steve! OR RICO OR Agrio OR Chevron OR Enforce! OR Lenczner OR deposit OR pay! OR transfer OR Canad!)

5,593

8,866

We are also open to other ideas. There are still a huge number of terms, and, as you know, we will be seeking costs for this review, so it is in everyone's interest to cut down the volume.

We can and will use assisted review technology to solve these issues to a degree, but given the size of the current review, as well as the deadline of December 2, 2019, something must be done to cut the review down to size. The easiest way to do that is to modify the terms in a way that meaningfully reduces the number of documents.

Let us know your thoughts.

Best,  
Alex

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From: Yaeger, Michael L. <MYaeger@carltonfields.com<<mailto:MYaeger@carltonfields.com>>  
<<mailto:MYaeger@carltonfields.com>><<mailto:MYaeger@carltonfields.com>>>  
Sent: Monday, October 21, 2019 2:42 PM  
To: Fernandez, Ashley <AFernandez@gibsondunn.com<<mailto:AFernandez@gibsondunn.com>>  
<<mailto:AFernandez@gibsondunn.com>><<mailto:AFernandez@gibsondunn.com>>>; Silverman, Alex B.  
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Cc: Neuman, Andrea E. <ANeuman@gibsondunn.com<<mailto:ANeuman@gibsondunn.com>>  
<<mailto:ANeuman@gibsondunn.com>><<mailto:ANeuman@gibsondunn.com>>>  
Subject: RE: Chevron-Rizack Protocol

The forensic recovery protocol and budget (at the end of the protocol) is attached. As for the cost of the work Crypsis has done to date, and the cost of imaging to date, we will get back to you. Kevin just returned from overseas today.

Best,

Michael

Michael L Yaeger

Shareholder | Carlton Fields

405 Lexington Avenue, 36th Floor | New York, New York 10174-0002

Direct: 212.380.9623 | Fax: 860.392.5058

MYaeger@carltonfields.com<<mailto:MYaeger@carltonfields.com>><<mailto:MYaeger@carltonfields.com>>  
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From: Fernandez, Ashley <AFernandez@gibsondunn.com<<mailto:AFernandez@gibsondunn.com>>  
<<mailto:AFernandez@gibsondunn.com>><<mailto:AFernandez@gibsondunn.com>>>  
Sent: Thursday, October 17, 2019 9:46 AM  
To: Silverman, Alex B. <ASilverman@carltonfields.com<<mailto:ASilverman@carltonfields.com>>  
<<mailto:ASilverman@carltonfields.com>><<mailto:ASilverman@carltonfields.com>>>; Yaeger, Michael L.  
<MYaeger@carltonfields.com<<mailto:MYaeger@carltonfields.com>><<mailto:MYaeger@carltonfields.com>>  
<<mailto:MYaeger@carltonfields.com>>>  
Cc: Neuman, Andrea E. <ANeuman@gibsondunn.com<<mailto:ANeuman@gibsondunn.com>>  
<<mailto:ANeuman@gibsondunn.com>><<mailto:ANeuman@gibsondunn.com>>>  
Subject: Chevron-Rizack Protocol

Michael and Alex,

We understand that Mr. Faulkner and Mr. Lynch have completed their meet and confer as required under Paragraph 8 of the Protocol. Please provide us with (1) their agreed to forensic protocol and (2) Mr. Faulkner's proposed budget, as required under Paragraph 3 of the Protocol, so we can promptly review and respond. We want to make sure we keep everything on track and meet all deadlines. In addition, could you let us know the cost of the imaging that has been completed?

Thanks,

Ashley

Ashley Fernandez

GIBSON DUNN

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<Rizack - Top 50 Hits.xlsx>

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<After Exclusions - STR\_2019\_11\_11.pdf>

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